C.F. 71 & 72.

19 .

Department of

OFFICE

STATION

No. 3870

Dated 7-11-32

To whom sent	Date	Initial
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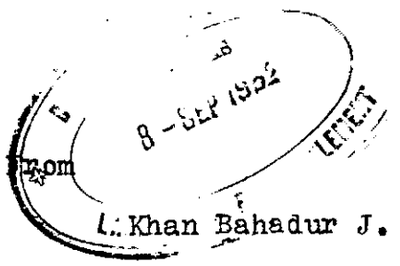
(SUBJECT.)

* Not to be filled in in the case of permanent records.

1 / RP 189 B 5075

Ref. A1 No.5615-32.

South Kanara Collector's Office,
Mangalore, 5th September 1932.



From

L. Khan Bahadur J. Hussain, Bar-at-Law,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue and Settlement,
Madras.

B 1

Sir,

Assignment - Land - Coondapoor Taluk and Town - Voderhobli village - S.No.86/3A4A (portions) - Irregularity in procedure - Regularisation recommended.

******

In D.R. Cases Nos.40/1337. 47/1337. 85/Spl. 1339 and ----- 31/1340(enclosed), on the file of the Tahsildar of Coondapoor, 24 subdivisions carved out of S.No.86/3A4A of Voderhobli village, within the town limits of Coondapoor, were assigned by the ------ Tahsildar to members of the depressed classes under the provisions of paragraph 38 of B.S.O.18. Though the plots lay within the -- Coondapoor town limits and though they were practically intended for house sites, no site value was levied, nor was assessment --- charged at the ground rent rate of Rs.6-4-0 per acre.

p193(7); p182(W); p210(K); p159(L)

p56, B.S.O.18

2. The above irregularities seem to have been evidently made by mistake. Coondapoor was constituted a town in September 1927 by the issue of a notification in the South Kanara District Gazette, dated 24.9.1927 as provided for in B.S.O.21(9). After the issue, by the Collector, of this notification, there was a change in the personnel of the Tahsildar and the fact that the notification had been issued was probably lost sight of in the Taluk office and it was not before the Tahsildar while passing orders in the cases in question. The irregularity was noticed at the last Jamabandi by the Sub Collector who has now reported it to me

p82, B.S.O.21

for orders.

3. In the case of the first two orders which were passed on 31.3.1928 and 18.6.1928 respectively, and in which 20 plots are concerned, the period of 3 years prescribed in paragraph 18 of B.S.O.15 has already expired and I have no power to set aside or cancel them, now can I regularise them, following the instructions laid down in B.P. Mis.2190, dated 6.10.1925, in view of the circumstance that the powers of altering the rates of ground rent do not now appear to vest in Collectors under the present B.S.O.21. All the assignees are members of the depressed classes and on account of their poverty, they cannot afford to pay any initial value of the lands. Nine of them have already built houses and occupied them and six others have either built sheds or made some other improvements on the plots. It will be a real hardship to them if their assignments are now cancelled. In the case of the remaining assignments, Government cannot insist upon erection of houses as no condition to that effect exists in the assignment orders under reference. I therefore request that Government may kindly be moved to regularise all the assignments, waiving site value, which is estimated at Rs.1000/- per acre. Government have now, in their order No.1368, Revenue, dated 30th June 1932 communicated with B.P. No.39, Press, dated 8th July 1932 directed that resettlement operations should be resumed in this district so that resettlement may be introduced in 1934-35. Automatically, therefore, the assessment now levied is liable to --- alteration at resettlement and I suggest that the present rate may be allowed to stand until the ensuing resettlement.

For Collector.

KSR
5.9.32

R. F. XXII-A-19—30,004—2-2-31 (6)

Subject.

FOR MEMBER.

Assignment - Land (South Ka
Condapore Jt & Town - Vardha
Use - Sr. 86/3-A-4-A (portion)
Irregularity in procedure.

READ AGAIN B. P. No. _____ dated _____ 193

" " " _____ , " _____ 193

READ ALSO :—

Register No. _____ From the _____, No. _____, dated _____ 193

pp. 1-2 of B. 5035/32 A

" " _____, " " _____, _____, " _____ 193

" " _____, " " _____, " _____ 193 .

~~RESOLUTION~~ Paper No. B. 5035/32-1 dated 4—X— 193 2

Submitted to Government.

2. The Board considers that the irregularity can be rectified only by cancelling the order of assignment issued by the Tahsildar and issuing fresh order of assignment under the Town-Site rules and recommends that the collection of land value may be waived.

3 The Collector proposes to collect the present rate of taram assessment until ensuing resettlement. The Bo

DISPATCHED
-6 OCT 1932

Considers that there
reason to accept the Collec
proposal and that Round re
at Rs 6:4:0 an acre should
be collected from the assig
from the date of assignme
Rs 1:4
lowest members of the
depressed classes and poor
the Board recommends that
the back ground rent may
be waived and the current rent
collected at Rs 6:4:0 an acre
from the current fasli
4 The Board recommends
to take the opportunity to
impose that the condition of
all those laid down in
G.O. No. 355 Rev. dt. 13-2-3
as it is proposed to collect the
the value of the site
5 The Collector will be
to take discretionary action
the Taluk who passed the wrong
orders

From

X-32

3/10

BOARD OF REVENUE
4- NOV 1932
LAND REVENUE AND SETTLEMENT

5

GOVERNMENT OF MADRAS

Sectt. II-15 (a)—36,000—21-1-29.

B 6/73

192 . *Registered* 4- NOV 192

Abstract.

ASSIGNMENT

Land - (South Kanara) - Coondapur Taluk and Town - Voderhobli village - S.No.86/3A 4A - Irregular assignments - cancellation and reassignment - Orders passed.

REVENUE DEPARTMENT.

G.O. No. Ms.2232, dated 2nd November ~~192~~ 1932.

READ the following paper:—

ENCLOSURES.

No.

From the Board of Revenue, L.R. & S. Ref.No.B. 5035-32-1, dated 4th October 1932.

--

ORDER --

In the circumstances reported by the Board of Revenue, the Government cancel the assignments of 24 sub-divisions in S.No.86/3A 4A in Voderhobli village, Coondapur taluk, South Kanara district, ordered by the Tahsildar, Coondapur, in D.R.Nos.40/1337, 47/1337, 85/1339 and 31/1340 and direct the re-assignment of these sub-divisions to the original assignees under the town site rules but free of payment for the market value. The assignments should be subject to the condition against alienation laid down in G.C.No.355, Revenue, dated 13th February 1932. Ground rent at Rs.6-4-0 an acre should be collected from the assignees from the current fasli.

(By Order of the Governor in Council)

J.A. THORNE,
Secretary to Govt.

To the Board of Revenue, L.R. & S. (with 4 Dis. files).

Forwarded.
(By Order).

Superintendent

N. F. XXII-A-19—28,004—15-3-32 (6)

Subject.

FOR MEMBER.

READ AGAIN B. P. No. _____, dated _____ 193

" " " _____, " _____ 193

READ ALSO :—

Register No. _____, From the _____, No. _____, dated _____ 193

" " _____, " " _____, " _____, " _____ 193

" " _____, " " _____, " _____, " _____ 193

RESOLUTION. No. _____ dated _____ 193

NOTE FILE

Assignment. Land at Kanara Coondapoor Tk. & town. Vode vill: - S. no 861/3 A & A Irregularity in procedure

1. 8/85 : LR

B50 35/1a ff 102

To HS (LR)

Please see the collr's letter at ff 102 c/

2/ The irregularity in this case consists in that the rules regg the grants under GO 8.10.15, vide c/ under Yr 8 no 21, though the were practically intended for house sites. The collr. states that of the 24 assignees, 9 already built houses, and occupy them and 6 others have either built sheds or made some improvements on the plot that it would be a real hardship to them if their assignments are cancelled and that in the case of the remaining assignees, first, second, third & fourth are willing to build houses as no condition to the effect exists in the assignments

IC see Sketch at p1 x(W)

p 2 c/

orders under reference. It appears that the Collr's reason as regards the remaining assgt Tahsildar is not correct. As the ~~Collr~~ passed orders without authority, Govt. can cancel or revise them under BSO 15, para 18 and as the assignment was intended for house sites, Govt. can insist upon erection of houses now. It appears that the irregularity in the case can be rectified only by cancelling the orders of assignment issued by the Tahsildar and by issuing fresh orders of assignment under the town site rules

p. 45-2.46 of Vol I

The proper course.

D/ 16/9/32 A.M. 16.9.32.

3/ The ryot has assigned free of value 24 plots, measuring 4.48 acres and valued at Rs 1000/-, an acre

2.82
.71
.17
.78
4.48

p. 2 of

The Collr. recommends that the value may be waived.

p. 2 of

As the sanction of the Govt. is necessary for the waiver, the Collr's proposal may be recommended to them.

para 14 of BSO 21 p 86 of Vol I

D/ 16/9/32 A.M. 16.9.32.

4/ The plots have been assigned

subject to the payment of the taram assessment on them instead of ground rent at 1/- an acre. The Collr recommends that this assessment may continue until 1934-35, from which period it will be enhanced and the present rate assessment will be altered into ground rent at the rate of 1/- acre. There is no reason against the Collr's recommendation. Strictly speaking, ground rent at Rs 6/4 an acre should be collected from the assignees from the date of assignment. As they are however members of the depressed classes and poor people, back ground rent may be waived and ground rent collected at Rs 6/4 an acre from the Current fasli.

I agree.

16.9.32

Recommendation may be made to the Govt. accordingly.

The opportunity may be taken to impose the conditions of usual alienation laid down in Rule 6 Proc. 8.7.18 No.

X

the value of the sales proposed to be waived.

For orders

Some disciplinary action against Authority who passed the wrong orders seems necessary.

5

Let may say so leave it to Colle

SEC. Y. 20 SEP 1932

16.9.32.

Draft

To MS (HR)

Draft submitted for instructions regarding the disciplinary action against the D.C.L. may now be communicated the orders of Govt appeal. The Draft has been delayed.

3-10-32

To AS (LR)

Draft sub

7.4.32.